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Docket No.: 181-0308

DEC 08 2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATIONS**

In re Application of:

Peter Dronzek

Group Art Unit: 1733

Serial No.: 10/674,116

Examiner: John L. Goff

Filed: September 29, 2003

**For: TECHNIQUES FOR LABELING OF PLASTIC, GLASS OR METAL
CONTAINERS OR SURFACES WITH POLYMERIC LABELS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR§1.132

SIR:

I, Leslie Fernandez, declare that I have an associates degree in chemistry and have more that 25 years of industrial experience as a chemist. I was asked to prepare materials and to observe a test of the labeling of glass containers using a microvoided polymer film that was applied to glass containers using a water based adhesive system.

The test of the microvoided labels was carried out in a commercial trial where microvoided label stock was coated with a water based adhesive, sheeted and cut into individual labels for application to bottles using a Kronos Topmatic Labeler which is a commercially available automated high speed labeling machine.

The commercial trial was carried out using a microvoided label made from a microvoided, oriented, poly propylene which is commercially available from Exxon Mobil as Labelyte 90LP. The film was coated with a 30wt% hide glue in

Labelyte 90LP. The film was coated with a 30wt% hide glue in water which contained a 5wt% of a humectant at a coating level of about 2.5g./1000 sq.inches. The coated film was dried using a forced air oven at 250°F. and a film speed of 100 ft./min. The dried coated film was overcoated on its face with an antiblock and a friction control coating prior to being rolled up and then die cut into labels sized for 12 ounce glass bottles. The die cut labels were arranged in stacks where the face of one label was in contact with the adhesive coated back of the next label. The stacked labels were shrink wrapped to avoid deterioration due to environmental stresses.

A trial was carried out at a commercial bottling plant using a Krones Topmatic cut and stack labeling machine that was designed for the application of cut and stack paper labels. The magazine of the labeling machine was filled with a stack of the above described labels and pressure was applied to cause the labels to move to the front of the magazine. The labels were removed from the stack by a rubber pallet which had been wetted by an activator solution comprising glyoxal, an epoxy cross-linker, sucrose and water using a rubber roller. The activator is applied so that a sufficient amount is applied to the adhesive coated label to provide a surface having sufficient wet tack so that the label adheres to the rubber pallet but is removable from the pallet. The wet label is picked up by a gripper and is directly applied to the glass bottles and wiped to establish a bond between the glass bottle and the label.

This labeling trial demonstrated that the microvoided polymer labels, prepared above, can be successfully applied in a cut and stack labeler that was manufactured for the application of paper labels using a water based adhesive. The microvoided labels readily fed from the label magazine for subsequent application to glass bottles using mechanical grippers.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and of any patent issued thereon.

December 5, 2008



Leslie Fernandez